

EXHIBIT - D

(Page 1 of 11)



CASE NO.: *475 1846 A US* *DWS*
 SERIAL NO.: *08/893 080*
 INVENTORS: *Warszawsky et al*
 PAPERS MAILED: *December 19, 1997*
 TITLE: *3-Mercaptoacetylenes - 1, 5-Substituted - 2-Propyl-Azepan Derivatives Useful as Inhibitors ...*

The Patent Office has received the items checked below:

- ☒ Transmittal Letter (*Date Sub. Dec*)
- ☐ Application
- ☐ Description: (☐ pages)
- ☐ Claims: (☐ pages, ☐ claims)
- ☐ Abstract: (☐ pages)
- ☐ Drawings: (☐ pages, ☐ drawings)
- ☐ Declaration: (☐ pages)
- ☐ Express Mail Certificate **RECEIVED**
- ☐ Info Disclosure State/Form 1449
- ☐ References:
- ☐ Amendment **DEC 29 1997**
- ☐ Response
- ☐ Extension of Time/Late Fee
- ☐ Claim for Priority **RECEIVED PATENT DEPT.**
- ☐ Formal Drawings: (☐ pages, ☐ drawings)
- ☒ Cert. of Mailing
- ☐ Base Issue Fee
- ☐ Assignment
- ☐ Notice of Appeal/Fee
- ☐ Brief
- ☐ Request for License for Foreign Filing
- ☒ *Declaration*



STAMP DATE AND RETURN

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EXHIBIT - D

(Page 2 of 11)



Hoechst Marion Roussel, Inc.
Patent Department
P.O. Box 156300
2110 East Galbraith Road
Cincinnati, OH 45215-6300



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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of
Warshawsky, et al.

Serial No.: 08/893,080

Filed: July 15, 1997

Title: 3-MERCAPTOACETYLAMINO-1,5-
SUBSTITUTED-2-OXO-AZEPAN
DERIVATIVE USEFUL AS
INHIBITORS OF MATRIX
METALLOPROTEINASE



Examiner:

Art Unit: 1205

I hereby certify that this correspondence is being
deposited with the United States Postal Service as First
Class Mail in an envelope addressed to Assistant
Commissioner for Patents, Washington, D.C. 20231,
on

December 19, 1997
Date of Deposit

Pet. Nysell
Signature

LATE SUBMISSION OF DECLARATION
UNDER 37 C.F.R. 1.53(f)

Assistant Commissioner for Patents
Washington, D.C. 20231

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OFFICE OF PETITIONS

Sir:

In response to the "NOTICE TO FILE MISSING PARTS OF APPLICATION - FILING
DATE GRANTED" which was mailed on 18 November, 1997 and which indicated that the oath or
declaration was missing, Applicants submit herewith the Declaration for the present application and a
copy of Form PTO-1533.

Please charge the \$130.00 fee involved to Deposit Account No. 13-2764. The Commissioner
is hereby authorized to charge any additional fees which may be required by this paper, or credit any
overpayment to Account No. 13-2764. Two duplicate copies of this sheet are enclosed.

Respectfully submitted,

David M. Stermerick, Reg. No. 40,187
Attorney/Agent for Applicant

Hoechst Marion Roussel, Inc.
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Docket No. M01846A US

EXHIBIT D (Page 8 of 11)
DECLARATION AND POWER OF ATTORNEY UNITED STATES OF AMERICA

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below my name.

I verily believe I am/we are the original, first and sole/joint inventor(s) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

3-Mercaptoacetyl-amino-1,5-Substituted-2-Oxo-Azepan Derivatives Useful as Inhibitors of Matrix Metalloproteinase

and the specification of which ☐ is attached hereto (Attorney Docket No. **M01846A**)
 (check one) ☒ was filed on **July 15, 1997** as U.S. Application Number
 and was amended on (if applicable).
☐ was described and claimed in PCT Int'l Application Number filed on
 and as amended under PCT Article 19 on (if any).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims as amended by any amendment referred to above.

I acknowledge the duty to disclose to the U.S. Patent and Trademark Office all information known to me to be material to patentability as defined in 37 C.F.R. 1.56.

☐ I hereby claim foreign priority benefits under Title 35, United States Code §119 of any foreign application(s) for patent or inventor's certificate listed below. I have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Foreign Priority:	Number _____	Country _____	Day/Month/Year Filed _____
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Prior Foreign Appln(s):	Number _____	Country _____	Day/Month/Year Filed _____
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X I hereby claim the benefit under Title 35, United States Code § 119(e) of any United States Provisional application(s) listed below:

08/719,291 (Converted to Provisional on 6/10/97 Serial No. not yet assigned)
 Number _____

9/19/96
 Filing Date

☐ I hereby claim the benefit under Title 35, United States Code §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code §112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations §1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

Application Serial No. _____	Filing Date _____	Status (Patented, Pending) _____
------------------------------	-------------------	----------------------------------

I hereby appoint the following attorneys and/or agents to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith, whose addresses are all: **Hoechst Marion Roussel, Inc., 2110 East Galbraith Road, P. O. Box 156300, Cincinnati, Ohio 45215-6300.**

Address all correspondence and telephone calls to the first named.

1. David M. Stemerick, Reg. No. 40,187 TEL. (513) 948-7529

Charlotte L. Barney	Registration No. 35,060
William R. Boudreaux	Registration No. 35,796
Kenneth J. Collier	Registration No. 34,982
J. Michael Dixon	Registration No. 32,410
Edward J. Glamkowski	Registration No. 36,525
Ruth E. Homan	Registration No. 37,555
Maynard R. Johnson	Registration No. 24,588
Barbara E. Kurys	Registration No. 34,650
Nelsen L. Lentz	Registration No. 38,537
Carolyn D. Moon	Registration No. 33,022
Stephen L. Nesbitt	Registration No. 28,981
T. Helen Payne	Registration No. 36,889
Michael J. Sayles	Registration No. 32,295
Edlyn S. Simmons	Registration No. 28,668
David M. Stemerick	Registration No. 40,187
Gary D. Street	Registration No. 25,611
Louis J. Wille	Registration No. 32,954

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Day/Month/Year Filed

Prior
Foreign
Appln(s):

Number

Country

Day/Month/Year Filed

X

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